

Feb. 15, 1864

HOUSE OF REPRESENTATIVES, February 15, 1864.— Read first and second times, postponed until to-morrow; made special order for 1 o'clock, and ordered to be printed.

[By Mr. CURRY.]

## JOINT RESOLUTIONS

In reference to the treatment of colored troops.

1      Whereas, By certain joint resolutions passed by the Congress  
2      of the Confederate States of America, and approved on the 1st  
3      of May, 1863, the proclamations issued by the President of the  
4      United States, “designed or tending to emancipate slaves in the  
5      Confederate States, or to abduct them, or to incite them to  
6      insurrection, or to employ negroes in war against the Confederate  
7      States, or to overthrow the institution of African slavery and  
8      bring on a servile war in these States,” were denounced as  
9      inconsistent with the spirit of those usages, which, in modern  
10     warfare, prevail among civilized nations, and therefore as subject  
11     to repression by retaliation, as set forth in said resolutions;  
12     and whereas, in the correspondence between the commissioners for  
13     the exchange of prisoners recently submitted to Congress, it  
14     appears by letter of Major General Hitchcock, Commissioner of  
15     Exchange, dated at Washington on the 28th December, 1863,  
16     that information is communicated to the Commissioner of  
17     Exchange, appointed by this Government, that, “until the

18 southern authorities make some distinct declaration of a purpose  
 19 to treat colored troops and their officers in the employment of the  
 20 United States Government in all respects according to the laws  
 21 of war, as applicable to other troops, we cannot recede from the  
 22 position taken by the Commander-in-Chief 'above referred to,'  
 23 this position being an order suspending the operation of that  
 24 portion of article four of the cartel which requires all prisoners  
 25 of war to be discharged, on parole, in ten days after their  
 26 capture.

27 And whereas, it is well known from general orders issued  
 28 from Washington, as well as from other official sources, that  
 29 the words, "colored troops and their officers," used in the said  
 30 letter, are meant and intended to include slaves, the property of  
 31 the people of these States, that have been seized, abducted and  
 32 impressed into the military service of the United States and  
 33 armed for warfare against their masters ;

1 *Therefore, it is resolved by the Congress of the Confederate States*  
 2 *of America, That they do adhere to the position that the emanci-*  
 3 *pation of the negro slaves within the Confederate States by the*  
 4 *enemy, is not among the acts of legitimate warfare ; but is pro-*  
 5 *perly classed, by writers on public laws, including the most*  
 6 *eminent publicists of the United States, among such acts as*  
 7 *"putting to death all prisoners in cold blood and without special*  
 8 *cause, or the right to use poisoned weapons, or to assassinate."*

1     2. *Resolved*, That the pretension of the United States that  
2 these States, whenever they may recapture their own slaves, ab-  
3 ducted and armed by the enemy, shall deliver them back to the  
4 enemy on parole as prisoners of war, is, in effect, a demand that  
5 this Government shall recognize the right of the United States  
6 to legislate within its limits, and shall aid the United States in  
7 giving effect to such legislation, a pretension too monstrous and  
8 revolting to be yielded to, for a moment, by the Confederate  
9 States, and set up by our enemies only to create a pretext for  
10 violating the obligation of liberating prisoners of war, in ac-  
11 cordance with the terms of the cartel, to which the faith of the  
12 two Governments is pledged.

1     3. *Resolved*, That Congress approve the action of the Execu-  
2 tive in refusing to entertain any proposition for treating our own  
3 recaptured negroes otherwise than as the property of those from  
4 whom they were abducted by the enemy, and to whom the laws  
5 require their restoration.

1     4. *Resolved*, That neither these resolutions, nor those passed on  
2 the 1st May, 1863, are to be so construed as to exclude, from  
3 treatment as prisoners of war, such free colored persons and their  
4 officers, as were not resident within the Confederate States at the  
5 commencement of the present war.

## AMENDMENT TO THE TITLE, PROPOSED BY MR. MILES.

Joint Resolutions in reference to slaves captured in arms, and the exchange of free colored troops of the enemy.